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SUBJECT: KOSOVO: CHURKIN CHAFES AGAINST SHORT MOSCOW LEASH

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Classified By: Ambassador Zalmay Khalilzad for Reasons 1.4 B/D.

¶1. (C) SUMMARY. Russian Ambassador to the UN Churkin shared Moscow's latest hard line guidance on Kosovo with Ambassador Khalilzad on June 4. Churkin said Moscow wants: no reference to SYG Special Envoy Ahtisaari's proposal in the Security Council resolution; at least a year of further Belgrade-Pristina negotiations; and Security Council review of Kosovo after those negotiations. Ambassadors Churkin and Khalilzad quickly put aside that guidance as unhelpful. In its place, they brainstormed about a conceptual formula that would use an UNMIK phase-out period to simultaneously stage Belgrade-Pristina negotiations after which the Ahtisaari proposal would be fully implemented and UN member states would be free to recognize Kosovo sovereignty unless the Council expressly decided on a different course. Churkin clearly finds such a formula attractive, especially if selected aspects of UNSCR 1244 were to remain in force during the negotiations. Equally clearly, however, such a way out is unlikely to resonate in Moscow. Ambassador Khalilzad impressed on Churkin that Moscow's hard line is increasingly uniting most of the rest of the Council around the idea of putting the draft resolution to a vote in the very near future. END SUMMARY.

¶2. (SBU) Ambassador Khalilzad met on June 4 in his office with Russian PermRep Vitaly Churkin at the latter's request to present Moscow's just-received guidance. Churkin came alone. Deputy PolCounselor also participated in the meeting.

¶3. (C) Ambassador Churkin read very hard line instructions from Moscow and, as he did in another recent meeting (reftel), followed them up with more accommodating personal observations. Translating the Moscow instructions, Churkin said:

-- "To start with the good news, Moscow would approve resolution language suggesting that Kosovo presents a unique case because of the disintegration of Yugoslavia (i.e., Moscow will not accept language referring to the non-consensual/violent breakup of Yugoslavia, massive repression, extended UNMIK administration).

-- "Moscow cannot accept even 'taking note' of Ahtisaari -- we would instead have to take out (for use) some elements of Ahtisaari regarding, for example, the rights of Serbs and the improving of internal government mechanisms.

-- "There must be no less than a year for further negotiations during which there would be more balanced international mediation. (NOTE. Churkin later said Ahtisaari might be acceptable as mediator if he would "swear on a bible that he would be more balanced." END NOTE.)

-- "Moscow believes this (a year of negotiations) would have a realistic chance to bring Belgrade and Pristina closer to compromise.

-- "There must be a provision ruling out a unilateral

declaration of independence during the negotiations.  
-- "The PISG must expressly recommit to implementing Standards and ruling out violence during the negotiations.  
-- "UNSCR 1244 must remain in force during the negotiations.  
-- "Postponed independence and automaticity are absolutely unacceptable. The results of the negotiations must be reviewed by the Security Council after a year."

¶4. (C) Ambassador Khalilzad replied that the Moscow line seems harder than ever and gives us nothing to talk about. True to that observation, neither ambassador referred directly to the Moscow points for the rest of the meeting. Instead, Ambassador Khalilzad asked whether we might consider a formula calling for implementation of the Ahtisaari package after some specified transition/negotiation period unless the results of the negotiations convinced the Council to pursue a different course. Warming somewhat to this idea, Churkin thought this formula might include listing of those aspects of Ahtisaari to be implemented now and those to be implemented after negotiations. Similarly he suggested the Council might specify those aspects of UNSCR 1244 that would remain in effect during the negotiation period.

¶5. (C) DepPol Counselor pointed out that the one-year duration of negotiations would be problematic, even assuming the rest of the formula were acceptable to all, because it would put us well beyond the 120-days UNMIK's phase-out needs make available to us. Ambassador Khalilzad pointed out that the EU would be unlikely to agree to replace UNMIK for such an extended period of political uncertainty. Churkin nevertheless insisted that "I think we are very close," and said he would report immediately to Moscow. Ambassador Khalilzad closed the meeting by telling Churkin that Russian intransigence had caused pressure to move the outstanding

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draft resolution to build rapidly in several Security Council capitals, including Washington, and urged Churkin to engage with Moscow and then with us quickly and substantively.

¶6. (C) COMMENT. For what little it's worth, Churkin seems to us sincere in his desire to reach an accommodation on the way forward on Kosovo. We devalue this apparent good faith because it seems to have not even a shred of resonance in Moscow. For all Churkin's openness to creative ambiguity, the message he came to deliver was crystal clear -- Russia continues to insist on an open-ended final status process during which Kosovo continues in a status quo the Security Council long ago concluded was unsustainable.  
KHALILZAD